

IN THE CLAIMS:

Please CANCEL claim 3 without prejudice to or disclaimer of its subject matter. Please AMEND claim 1, as follows.

1. (Currently Amended) An image heating apparatus for heating an image formed on a recording material, comprising:

a heater;

a holder for holding said heater;

a rotating member rotating around said holder, said rotating member being flexible and having a metal layer; and

a pressure roller forming a nip with said heater ~~across~~ through said rotating member;

wherein said rotating member rotates in a direction to be apart from said pressure roller with an angle equal to or more than 10 degrees and equal to or less than 40 degrees with regard to an ideal plane extending from the surface of said heater of a side on which said pressure roller exists ~~moves with detaching from said pressure roller just after said rotating member passes~~ passing through a just after passing through a down stream downstream end portion of a surface of said heater at a side of said pressure roller in surface of said heater on the surface of said heater of a side on which said pressure roller exists.

2. (Original) An image heating apparatus according to claim 1, wherein said rotating member further comprises an elastic layer.

3. (Cancelled)